

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELAINE CHAO, Secretary of Labor,)	CASE NO. 8:08CV150
United States Department of Labor,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
ZTA, INC. d/b/a KING KONG)	
RESTAURANT; 13 TH STREET KING)	
KONG, LLC d/b/a KING KONG)	
RESTAURANT; N.Z.T. INC., d/b/a)	
KING KONG RESTAURANT;)	
LINCOLN KING KONG, LLC d/b/a)	
KING KONG RESTAURANT; and)	
NICK TRIANTAFILLOU,)	
)	
Defendants.)	

This matter is before the Court on the Court's own motion regarding receipt, by e-mail, of a document referred to by Plaintiff as a "signed consent injunction," and simply titled "Injunction". The document appears to be signed by Kim P. Flores, Attorney for the Plaintiff, Defendant Nick Triantafillou, and Attorney Jerry L. Pigsley. Mr. Pigsley appears to have signed the document as the attorney for the remaining defendants. The document also includes a signature line for the United States District Judge.

The manner in which this matter was presented to the Court is of concern. First, the docket report is devoid of any proof of service of the complaint, or any entry that summonses have been requested. Second, there has been no entry of appearance by Mr. Pigsley or any other attorney on behalf of any of the Defendants. Finally, the Local Rules do not permit filings by e-mail. See NECivR 5.1(d). If the parties wish the Court to consider a stipulated motion or consent for an injunction, they will need to follow the proper

procedure to bring such a request before the Court. As presented, the Court can take no action in this matter. Accordingly,

IT IS ORDERED:

The Clerk of the Court is directed to mail a copy of this order to Mr. Jerry L. Pigsley, Attorney at Law, at Harding & Schultz, PC, LLO, 121 So. 13th Street #800, P.O. Box 82028, Lincoln, NE 68501-2028.

DATED this 23rd day of June, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge